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Articles

Jews, Bicycle Riders, and Gay People: The Determination of Social Consensus and Its Impact on Minorities

John Eastburn Boswell

It is written in a Chinese encyclopedia of the Middle Ages that animals are divided into fourteen categories:

1. belonging to the emperor
2. embalmed
3. tame
4. suckling pigs
5. sirens
6. fabulous
7. stray dogs
8. included in the present classification
9. frenzied
10. innumerable
11. drawn with a very fine camel-hair brush
12. *et cetera*
13. having just broken the water pitcher
14. appearing to be flies from a long way off.¹

Western societies have deployed a variety of strategies to create standards of the “good” to direct human conduct and enforce notions of civic behavior. The nature and sources of these standards as well as their rela-

1. The significance and source of this quotation are explained at the conclusion of the essay.

tionships and interactions reveal (and determine) much about the ability of societies to tolerate diversity. A striking example of this is provided by analysis of the effects of such standards on the well-being of two minorities present in nearly every Western society since the Roman Republic: Jews and gay people.²

It is now “normal” (i.e., within the accepted range of variation) to be Jewish in the United States; it is not yet “normal” to be gay. Although for nearly 1600 years, the two groups have met the same fate at the hands of majorities in Western culture,³ Jews have achieved “normal” status in most of the modern West more rapidly than gay people. The reasons for this are many and complex, and I will here address only a few bearing most directly on the way modern social consensus about the “good” and the “normal” is formulated and employed, especially by comparison with previous Western systems.

Standing within the modern framework one might, of course, posit that the reason Jews more often meet modern standards of public and private good (“normality” and “loyalty”) is that they *are* normal, while gay people are not. It would be jejune to argue that simply because they have notably similar histories there are no differences between Jews as a group and gay people as a group.⁴ But as a historian I am not prepared to comment on who is “normal” or “good” or “orthodox” or “moral” in relation to any absolute truth. What I can do is to raise questions about the etiology, formulation, and internal consistency—particularly the extent to which they actually represent the consensus to which they lay claim—of three historical systems of determining and enforcing notions of human “good,” and use this to approach the question of why Jews achieved “normal” status before gay people.

For my purposes I will divide European history into three broad peri-

2. I use the term “gay people” to refer to persons whose erotic interest is focused primarily on their own gender. It is thus more specific than “homosexual,” a term applicable to acts independent of erotic inclination: many men in prisons perform homosexual acts, though they would not, under other circumstances, choose their own gender for sexual outlets. And many persons who do not engage in sexual activity (by conscious choice or through lack of opportunity) are nonetheless sexually attracted to their own gender. Both the nature of and the proper terminology for sexual orientation are highly controversial. There are certainly difficulties with “gay” as a transhistorical term, but there are comparable problems with a great number of designations historians are accustomed to using as imperfect diachronic categories. A “Jew” in pre-Roman Palestine and a “gay person” in Augustan Rome are probably about equally like and unlike the vast range of their modern counterparts in the United States, since, both then and now, what distinguished such a person as well as its impact on personal and social identity would vary enormously from individual to individual.

3. Although a salient difference could be postulated during the period (prior to the Roman occupation of Judea) when Jews constituted a state, the remarks that follow apply only to Jews who were citizens of Rome, or living within its cultural domain, and are not intended to elucidate the political history of Rome and Palestine.

4. The two groups, of course, can and do overlap: there are many gay Jews. Emphasizing the theological (as opposed to the ethnic) aspect of Judaism, and taking into account Judaism’s own attitudes toward homosexuality, one might make the point that there are fewer Jewish (i.e. actively religious) gay people than there are gay Jews (persons of Jewish descent), although there are gay synagogues in the U.S., and many Reform synagogues welcome gay members.

ods, loosely, “the ancient world” (from about 400 B.C. to 400 A.D., during which the Mediterranean basin was predominantly a region of city states, small republics organized in or around urban centers), “Catholic Europe” (by which I mean Western Europe after its conversion to Christianity but before the advent of Protestantism—from about 400 A.D. to 1500 A.D.), and the “modern West” (which refers to the industrial nations of Europe and North America in the eighteenth, nineteenth, and twentieth centuries). I will illustrate the impact of the prevailing systems of assessing and defining the “good,” both public and private, on minority groups within each of these cultural units by describing the experience of a paradigmatic minority for each of these three periods. The reader will perhaps find it instructive to try to infer which group is being described.

* * *

In the ancient world they flourish. They are recognized as distinctive by some of their compatriots, but not considered special by others. They themselves are similarly divided: some are conscious of membership in a special category; others are so much a part of the mainstream it hardly seems to matter. They suffer few legal disadvantages (none in Imperial Rome in the first few centuries of the Christian era), and there is very little popular antipathy towards them. They can be citizens and public officials and are in fact influential and prominent throughout the Mediterranean.

It is in Catholic Europe that they first begin to experience real social difficulty. At first this is limited to a few fanatical writers who feel that they are necessarily rejecting “evident truth” simply by being different. This hostile minority rails harshly against them, asserting that it is improper for faithful Christians to associate with them because of their theological or moral wrongs, and because they are different in kind from other people: they are said to be “possessed of evil spirits,” compared to animals, and accused of sin and violence. The emperors of the later Empire prohibit them from holding office and limit their freedoms.

But in general they continue to fare well through the eleventh century of the Christian Era. Most Catholics think little about them, and the educated usually assume that they have their own truth and their own morality, that they can be good even if they are different from the majority. From the ninth through the twelfth centuries, in fact, they are quite influential in European society, especially in intellectual realms. They contribute substantially to the “renaissance of the twelfth century,” and are admired by many members of the majority despite their acknowledged divergence from the norm.

Only in the thirteenth century does the minority in question begin to have real difficulty. Increasingly they are seen by the common people as

willfully and obstinately choosing to reject majority standards. Writers depict them as not just different, but dangerously different. They are said to be suffering from an incurable disease. Harsh and punitive laws are passed against them. Whereas in 1150 they had been respected or at least left in peace in most of Europe, from 1250 to 1350 nearly every civil state in Europe restricts their freedom, enacts laws against them, or exiles them. They are mentioned in law codes along with arsonists, traitors, and murderers, and moral writers begin to suggest that their failings are particularly heinous. Two ecumenical councils impose sanctions against them. Extreme distortions and ugly stereotypes begin to appear in literature: they are pictured as animals, threats to Christian states and to Christian children. Eventually they disappear from the historical record for centuries.

In the modern West there are violent ups and downs: sometimes they are fully accepted, sometimes savagely oppressed. Even within the same society there is often a wide range of opinion about them, and a few decades sometimes brings a complete reversal in their fortunes. One European country may be very tolerant, while a neighboring one is savagely hostile. There is less disease imagery about them in the twentieth century, and more talk of "degeneracy": they suffer from congenital defect, are inferior by birth. In tolerant states they are thought merely to be different; in hostile areas stereotypes left over from earlier centuries influence public opinion, and they are suspected of being a threat to the well-being of the state or to children, or are considered animalistic or immoral.

* * *

It is in fact impossible to determine, on the basis of the information given, whether the group in question is Jews or gay people. The descriptions are carefully formulated to describe both groups accurately. That this is possible is highly revealing: the same writers, during hostile periods, used the same libels and stereotypes about both, made the same theological arguments, appealed to the same popular mistrust of nonconformity. Long sections, for example, of St. John Chrysostom's tracts against the Jews are virtually identical to his diatribes against gay people.⁵ The very same legal codes (e.g., of Theodosius and Justinian) instituted sanctions against gay people and Jews in late antiquity, and the same national codes (e.g., *Fleta*, the *Établissements* of St. Louis) revived these measures in the thirteenth century. Many of them even mentioned Jews and "sod-

5. For his writings against gay people, see discussion and translations in John Boswell, *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* (Chicago, 1980), 131-32, 156-57, 347-48, 351-52, 359-62. For the Jews, see Wayne Meeks and Robert Wilken, *Jews and Christians in Antioch in the First Four Centuries of the Common Era* (Missoula, Mont., 1978), especially pp. 86-92, 124; and Paul Harkins, trans., *Discourses Against Judaizing Christians* (Washington, 1981).

omites" in the same sentence or provision. "Arsonists, murderers, traitors, Jews and sodomites" constitute the standard list of miscreants in both civil and ecclesiastical codes of late medieval Europe.⁶

The same or similar moral arguments are used against each: they have willfully rejected the truth by persisting in their difference from the majority. Both are said to suffer from "disease" in premodern Europe. All forms of dissent are referred to as "contagion" or "leprosy" in medieval Europe, but the comparison is even more specific: Albertus Magnus diagnoses homosexuality as an infectious disease particularly common among the wealthy, and as late as the sixteenth century, Solomon ibn Verga reports the claim that Judaism is an "incurable disease."⁷

* * *

One way to understand the impact on minorities of the different standards of public and private "good behavior" is to posit a taxonomy of degrees of acceptance: "distinguishable insider," "inferior insider," and "outsider." "Distinguishable insiders" are persons who could be recognized as distinctive if someone had the desire to discriminate, but whose divergence from the norm is viewed in the society at issue as part of the ordinary range of human variation. They are therefore not disadvantaged or segregated, socially or conceptually. (And may in fact be admired: "heroes" are people who are distinctive from others but respected for precisely this reason.⁸) The second category, "inferior insider," applies to persons whose divergence from some norm is considered tolerable, but who are thereby relegated to inferior social status. The archetype of this category is probably the bottom of the caste system in India: it is not morally or politically wrong to be an Untouchable—indeed, it is right and necessary that the state and the world include Untouchables—but being an Untouchable relegates one to the bottom of society. "Outsiders" are either not tolerated at all (i.e., they are killed, or banished, or incarcerated) or conceptually relegated to non-existence. Jews and gay people have at various points in Western history occupied all three of these categories, and the reasons for the shifts reveal much about social attitudes toward diversity and tolerance.

In the ancient world the most common standard of "good" in public

6. All discussed, in most cases with explicit comparison to Jews, in Boswell, *Christianity*, chapters 10-11.

7. For Albertus, see Boswell, *Christianity*, 316-17; for Ibn Verga, see Meir Wiener, ed., *Shevet Yehuda* (Hannover, 1922), 97. The belief that Judaism was a "disease" dates to at least the fourth century: see, e.g., John Chrysostom, in Meeks and Wilken, 86.

8. Heroic virtue in the ancient world—the strength (or "maleness") that made heroes—was often an ambivalent attribute, thought to invite disaster or the enmity of the gods as much as good fortune and the respect of fellow humans. In the Middle Ages, heroic virtue applied to exceptional moral character, and was thought unambiguously good, although it still implied (if it did not create) social distance between its possessor and other human beings.

behavior was the concept of good citizenship, or devotion to the *res publica*. What constituted good citizenship could be debated, but in general it was thought to lie in those actions which contributed to the well-being and prosperity of the state. "The state" was a different entity in different times and places; many elements of society had no stake in the power structure of their communities; and notions of "public well-being" might be violently disputed—but these did not undermine the ideal of good citizenship as general devotion to the public welfare. *Vincet amor patriae*—"love of homeland will triumph"—Virgil asserted in praising Lucius Junius Brutus for executing his own sons in the interest of the security of Rome.⁹

At a more practical level, legislative assemblies—usually composed of an oligarchy of some sort, but purporting to represent "the people"—generally had the power to decide what was actually "good" for the state. The precise origins and nature of the authority of such bodies (e.g., the Roman senate) are less revealing in the present context than the justifications articulated for them. As rationale, one is inclined to project backwards the political theory of modern democracies—e.g., "what touches all must be approved by all"¹⁰—but in fact their authority was not claimed to rest on representation of a larger constituency. Rather, it derived from something conceptually quite distinct: the wisdom and virtue of the *maior et sanior pars*. This phrase is generally rendered in English as "the greater and wiser part," but is actually a complex pun expressing many layers of political theory and social belief. *Maior* means "older" as well as "greater," and *sanior* means "healthier" or "more salubrious" as well as "wiser": *maior et sanior pars* refers to the greater part, the elder part, the wiser part, and the part best informed about (or most devoted to) the well-being of the state. The rich ambiguity of *maior* in particular, indicating both numerical superiority and the wisdom of age, captures the mixture of idealism and practicality that afforded ancient urban legislatures their authority as representing the combined wisdom of the "best" portion of society.

The personal correlate of good citizenship was *arete*, loosely, "virtue."¹¹ Unlike the more majoritarian "good citizenship," *arete* was a strikingly individual concept. It was often assumed that there was congruence between *arete* and the qualities of good citizenship, but in fact *arete* could be present in anyone: an enemy, a barbarian, a male, a female. *Arete* was the particular excellence of one person or thing, and could be entirely different from the particular excellence of another. It had no relation to a norm or even to conformity to the common good. It might be a reflection

9. Virgil *Aeneid* 6.823; for the historical details, see Livy 2.5. Cf. note 12, below.

10. Actually not "modern": at least as old as Magna Charta.

11. I do not use the Latin *virtus*, roughly the equivalent of *arete* in some contexts, for specific reasons, given below.

of a citizen's *arete* that he chose to perform some heroic action for the state (e.g., L.J. Brutus), but some forms of *arete* could be individualistic to the point of hubris and run counter to the well-being of the public or even the natural order.¹²

Since in the ancient world both Jews and gay people could, by general consent, be good citizens and possess *arete*, they were generally regarded as "distinguishable insiders." There were many religions in the ancient world: Jews in the Roman forum rubbed shoulders with Christians, Mithraists, Zoroastrians, worshippers of Isis or Cybele or the Greco-Roman pantheon. All were welcome as long as they contributed their share to the prosperity of the republic or empire. Although the soldiers who arrested Paul in Judea were surprised that a Jew spoke Greek, once it was established that he was a Roman citizen he received the same legal protection any other Roman citizen would.¹³

Likewise, although some ancient writers took note of variations in erotic inclination, this was not thought to constitute a disqualification of any sort:

Zeus came as an eagle to god-like Ganymede, as a swan came he to the fair-haired mother of Helen. So there is no comparison between the two things; one person likes one, another likes the other. . . .¹⁴

Indeed, in some ancient cultures gay people were thought to possess particularly desirable characteristics: in the *Symposium* Plato has a character remark that "males who . . . delight to lie with men and to be embraced by men . . . have the most manly nature. On reaching maturity they alone prove in a public career to be men."¹⁵

"Distinguishable insider" continued to characterize the position of Jews and gay people, by and large, through the first millennium of the Christian Era. Louis the Pious, for example, employed a Jewish "master of the Jews," and the Jews in his realm enjoyed separate community status. In the eleventh and twelfth centuries Christian scholars had recourse to Jewish sages to learn not only Hebrew but the *hebraica veritas*—the truth that Christians acknowledge God vouchsafed to the Jewish people. Large Jewish communities flourished in much of Europe throughout the Middle Ages, providing the mainstream of society with doctors, bankers, translators, scholars, and personal advisers.¹⁶

12. Servius, commenting on Virgil's description of Lucius Junius Brutus's patriotism in an age that had rejected this ideal in favor of family ties, expressed disapproval: *non extorquere vim naturae debet amor patriae* ("love of one's homeland ought not to displace the force [perhaps: "forces"] of nature"). *Servianorum in Virgilii carmina commentariorum*, ed. E.K. Rand, et al. (Lancaster, Pa., 1946-65).

13. Acts 22.

14. In *Greek Anthology*, trans. W.R. Paton (Cambridge, Mass., 1916), 5.65.

15. Plato *Symposium* 192 a-b.

16. On the Jews in the early Middle Ages, see B. Bachrach, *Early Medieval Jewish Policy in*

Similarly, gay people were prominent and accepted in much of Christian society. They were quite open about their distinctive erotic interests in the eleventh and twelfth centuries, celebrating them in literature studied in schools and copied by churchmen all over Europe.¹⁷ From the fifth century into modern times a marriage ceremony for two males or two females was known in parts of Christian Europe, performed by priests in churches from Constantinople to Rome, and observed to be a common custom in some areas as late as the 1940s.¹⁸ This created a separate community status for gay people as well. During the twelfth century a number of debates were written about the relative merits of homosexual versus heterosexual love; in two out of three surviving texts the gay side prevails.¹⁹

Reservations were expressed in ancient and medieval Europe about exclusiveness on the part of both groups. Jews were sometimes mocked or derogated for cliquishness, failure to interact socially with the majority, or refusal to participate in the external religious observance of the Roman state (e.g., emperor worship). Exclusively homosexual behavior was thought odd by some Greeks and Romans, and a dereliction of duty in societies where marriage was considered one of the obligations of citizenship. In such contexts Jews and gay people became objects of derision or antipathy, but invariably as inferior insiders: no one suggested that there should not be Jews or gay people, just that they should behave better.

* * *

These concepts were transformed in fascinating and novel ways in Catholic Europe. The Catholic equivalent of "good citizenship" was "orthodoxy": "correct opinion." The importance of adhering to "correct opinion" is one of the distinguishing hallmarks of the Christian religion, and became the essence of public good in Christian Europe. Even more striking and significant was the process of determining what the "correct opinion" should be. In the early fourth century, when there was an enormous controversy among Christians over whether the "correct opinion" should hold that Jesus and God were of the same substance or of similar sub-

Western Europe (Minneapolis, 1977), or B. Blumenkranz, *Juifs et chrétiens dans le monde occidental, 430-1096* (Paris, 1960). No single work surveys adequately the position of Jews in the High and Later Middle Ages. For Jewish-Christian intellectual interaction, see, for example, Aryeh Grabois, "The *Hebraica veritas* and Jewish-Christian Intellectual Relations in the 12th Century," in *Civilisation et société dans l'Occident médiéval* (London, 1983). A more general view was provided in S. Baron, "The Jewish Factor in Medieval Civilization," *Proceedings of the American Academy for Jewish Research* 12 (1942), revised in *Ancient and Medieval Jewish History*, ed. Leon Feldman.

17. See Boswell, *Christianity*, chapters 9, 10.

18. Montaigne also mentions having known of it in Rome: see his *Journal de voyage en Italie*, ed. Charles Dédéyan (Paris, 1946), 231. English anthropologists, such as M.E. Durham, studied it, and even novelists like Christopher Isherwood mentioned it during the twentieth century. I am preparing a book on the ceremony, its origins, and its historical significance.

19. See Boswell, *Christianity*, 255-265.

stance, a council of bishops from all over the world was convoked to decide which was the correct view. They did this by taking a vote.²⁰ Although it took time to develop fully, conciliar theory ultimately held the votes of councils on such matters to establish infallible truth.

The novelty of this approach can scarcely be exaggerated. In other Mediterranean religious and philosophical traditions truth was either held to be self-evident (Greek philosophy),²¹ attained through study (Greek and Roman philosophy, rabbinic Judaism), disclosed to special individuals (prophetic Judaism, most mystery religions), or revealed to humans through signs—omens, haruspicia, etc. It was the peculiar blend of Roman civic philosophy with the originally Middle Eastern religion Christianity that produced revelation through majority vote at a council.²²

Many explanations for this have been brought to bear by theologians justifying it in retrospect.²³ Initially, no authorization for the process was demanded or offered; it was unquestioned. A clue to the reason for this is provided by the word most closely associated with it—"catholic," the ecclesiastical equivalent of *maior et sanior pars*. Though most widely disseminated in Latin, the word is derived from Greek *kata* and *holon*, which can be combined to make two expressions, both underlying the notion of councils as standard-makers of the public "good." One phrase is *kath holou*, "universal," which applies to conciliar rulings in two ways: they are believed (often in spite of the evidence) to represent the views of the entire church, and they are applied to the whole church. ("What the whole church always and everywhere believes and teaches" is formulated in the early Middle Ages as the definition of "Catholic" truth.) The subtler but initially more important expression is *kath holon*, "according to the whole"—a reformulated description of "majority rule." Councils presuppose the preponderance of the *maior et sanior pars*, and rely on it to

20. This is at least the received wisdom, and subsequent councils assumed they were following the example of Nicea in voting; in fact, a great many details about Nicea remain uncertain. For a recent overview, see Colm Luibhéid, *The Council of Nicea* (Galway, 1982).

21. The Greek word for truth, *aletheia*, means "not hidden"—i.e., that which is evident. This is quite a different concept from both the Hebrew *emeth*, rendered as *aletheia* in the Christian scriptures, and *veritas*, its Latin translation. *Emeth* means something closer to "faithfulness" than "truth" in the Greek sense, and *veritas* more approximates the sense of "reality" than "truth" as an abstract proposition.

22. The standard and best work on this is now Hermann Sieben, *Die Konzilsidee der alten Kirche* (Paderborn, 1979), where the subject is treated in much greater detail than is possible here. See also John Meyendorff, *Catholicity and the Church* (New York, 1983); K.F. Morrison, *Tradition and Authority in the Western Church* (Princeton, 1969); J. Pelikan, *The Christian Tradition: A History of the Development of Doctrine*, vol. 1, *The Emergence of the Catholic Tradition (100-600)* (Chicago, 1971); and the works of Brian Tierney (e.g., *Foundations of Conciliar Theory*, or *The Crisis of Church and State*).

23. E.g., the casting of lots—a Mediterranean tradition, common among Jews. The apostles had held a "council" in Jerusalem to decide the difficult question of whether new converts to Christianity should be bound by Levitical law (Acts 15). In none of these cases, however, was the idea articulated that a vote would reflect an absolute, supernatural truth. Jesus had promised that "the gates of hell" would not prevail against his church (Matt. 16.18), but it is not self-evident that this means that votes of clergy at councils will infallibly reveal doctrinal truth.

carry the day. This is taken not merely as a practical reason to defer to conciliar authority, but as a sign that the doctrine defined by the council represents absolute truth. Anyone adhering to an opinion rejected by the *maior et sanior pars* at a council is shown by the vote to have been holding an incorrect opinion all along (so his viewpoint cannot be said to have ever been the teaching of the *holon*, even if he was not culpable before the doctrine was defined by a council). Anyone maintaining a minority opinion after a conciliar decision against it is no longer a member of the church (the *holon*) at all: he is a heretic. The essence of public good is acceptance of those doctrines declared to be "catholic," *kath holon*, according to the whole. Dissent is not *kath holon*.

After Nicea had declared that Jesus was fully divine, some Christians concluded (reasonably enough) that He must have been two persons, one divine and one human. Another council had to be called (Ephesus, A.D. 431), at which it was decided *kath holon* that Jesus was only one person. When Monophysites concluded from this that He must have had only a single nature, yet another council (Chalcedon, A.D. 451) had to vote on this, a majority holding that although Jesus was only one person, He had two natures; and so on. Nearly every major doctrine of christology and much of Catholic theology in general was enunciated by a council in reply to some controversy.

The unification of church and state begun under Constantine and effected in most of Western Europe during the Middle Ages meant that what was decided by majority vote in councils—*kath holon*—had to be acknowledged in all Christian realms. So it became *kath holou*, "universal," as well. Those who held views other than "Catholic" ones might suffer civil penalties, in some cases (although very few before the thirteenth century) even death.

The personal standard of the "good" in Catholic Europe, the counterpart of the ancient world's *arete*, was "the moral," which bore a significant relationship to "orthodoxy." The word *moralis* is derived from the Latin *mos/mores*, often translated as "custom," although its real import lies somewhere between etiquette and justice. Its closest English equivalent is "decorum." The common and influential expression *mos maiorum* hints at its relationship to public polity: it is the custom or behavior of the majority, and also of elders, ancestors, the older and wiser. Romans would strive to follow the *mos/mores maiorum* not because it was right in some absolute sense, but because it was advisable and maintained social order. The *mores maiorum* were above all empirical: how ancestors behaved, how the best people behaved, how most people behaved. By the fifth century, most Christians were Romans, and the Christian hierarchy was overwhelmingly staffed by the scions of the Roman aristocracy. Since Christians had rejected much of the legal tradition of

the Jews,²⁴ and their own scriptures contained little guidance on a great many aspects of ordinary social interaction, it was not only easy but necessary for them to look to the *mores* of their families and contemporaries for guidance in many matters of everyday propriety and decorum—ranging from the degrees of relationship within which one could marry to the permissibility of lending money at interest.

These patterns of behavior were often adduced as “rules” (Greek *kanones*) in councils discussing correct Christian behavior, and were ultimately collected as “canon law.” They did not usually require authorization or justification. They were voted on like matters of dogma, and the authority of the bishops to vote on them was unquestioned. Although there was no specific theological insistence that they were infallible, they were cumulative and largely irreversible: what had been enacted in small towns in Asia Minor in the fourth century would be cited in London in the thirteenth as if necessarily apposite and binding on all Christians.

Although much of early Christian morality (e.g., degrees within which one could marry) was borrowed intact from the pagan *mores maiorum*, the fact that it was promulgated through the structure of the one true religion transformed the “moral” (*moralis*) from what was ordinary, common, traditional, or usual into what was absolutely right, and binding on everyone. The relationship of *mores* to majority behavior was obvious to the fathers of the church: Augustine observed that “to be sinless an act must not violate nature, custom [*morem*], or law”²⁵—an astonishing dictum from a follower of Jesus of Nazareth, and clear indication of the triumph of a *kath holon* standard of personal good paralleling the establishment of orthodoxy in the public sphere. The rule of the majority was to be absolute and universal, and understood not simply as a practical expedient (as it had been in Rome), but as a reflection of what truly ought to be.

The transformation of Roman *mores* into Christian morals had an ambivalent effect on most minorities. Although “distinguishable insider” status persisted in much of Catholic Europe until the thirteenth century, hostile pressures were already present in Christian society from the fourth or fifth century. Theologians argued that although the Jews had some truth (Christianity, after all, could not be “true” if God’s prior revelation to the Jews was not “true”), it was not the complete truth, and Jews were therefore inferior to Christians. Likewise, as theologians developed a system of sexual ethics in which the sole justification for human eroticism

24. At least by the time of the council in Jerusalem described in Acts 15, a turning point in the history of Christian morality.

25. “. . . non esse peccatum quod neque contra naturam committitur, neque contra morem, neque contra praeceptum.” Augustine *De bono conjugale* 25, in *Patrologia latina*, ed. J.P. Migne, 40:395. Cf. Seneca, Epistle 122: “Omnia vitia contra naturam pugnant, omnia debitum ordinem deserunt.”

was procreation, the propriety of homosexual acts, even within the context of a permanent relationship blessed in church, came increasingly into question.

The tension between the rising hostility to the two groups and their erstwhile membership in the community can be seen in the medieval formula describing Judaism, Christianity, and Islam as "the law of Moses, the law of Christ, and the law of Muhammad." This implies, at once, that although the Jews do not follow the law of the majority, which is the correct one, they do follow a law—and a venerable one. In the High Middle Ages gay people were called "ganymedes"—a term conveying a sense of relationship to paganism rather than Christianity, but nonetheless evoking a harmless image of a beautiful deified youth, posing no particular threat to society. Thus even at its most intolerant, medieval society prior to the thirteenth century generally regarded Jews, gay people, and other nonconformists as "inferior insiders."²⁶ Disbelief and nonprocreative sexual behavior were sins—external actions—and placed the person who performed them in the category of "sinner," an inferior position but also a temporary one occupied at some times by every living human being since the Fall except the Virgin Mary. Your neighbor might commit sins you did not, sins you would not even be tempted to commit, but you knew that you yourself were also at times a sinner. Everyone is sinful at times, and no one need be so permanently. Being a sinner did not in any sense remove someone from the map of human types or make him an outsider: in one very real sense, the ability and tendency to sin is the most characteristic moral quality of human beings.

It is only in the thirteenth century, when the push for "orthodoxy" in belief and "morality" in behavior became pronounced on the part of the newly emerging corporate states of Europe, that Jews and gay people begin to appear in lists of criminals and miscreants as threats to society. Jews no longer follow the law of Moses: they are "outlaws." There is to be no law but Christian law, and denying Christian law makes one a criminal. Gay people are now called "sodomites," evoking the image of the destruction of a lawless city by a wrathful God, both as an example to gay people themselves and as a warning to the states that might tolerate them. Jews appear in literature not as a separate community, but as avaricious, visibly distinctive individuals who snatch and kill Christian children. Gay people are shown as sexual animals, bent on overturning the natural order and abusing the children of the majority.

26. Notable exceptions in the case of the Jews are the pogroms that accompanied the crusades as early as the end of the eleventh century and anti-Semitic outbreaks in England in the twelfth century. In the case of gay people, see Boswell, *Christianity*, as above.

* * *

This situation, typical only of the end of the Middle Ages, sticks in the popular imagination as characteristically “medieval.” Most people imagine that the modern West has made dramatic strides in the direction of general social tolerance, and tend to view the Catholic Middle Ages, in particular, as the nadir of openness and acceptance. “Medieval” is, in fact, a synonym for “narrow” and “intolerant” in the context of sexuality in particular. But this is anachronistic; in many ways modern systems of determining social consensus about the parameters of the tolerable are much more inimical to the freedom and well-being of minorities.

The splintering of the Christian tradition during the Reformation and Enlightenment rendered it increasingly difficult in Early Modern and Modern Europe to sustain public codes of conduct based on a single set of transcendental values, and religious concepts of “moral” versus sinful behavior gradually ceased to be the defining terms of public discourse about personal conduct during the eighteenth and nineteenth centuries (even in officially Catholic countries). By the early twentieth century scientific—especially medical—values had replaced the consensus once based on theological principles, and as public attention focused less and less on the salvation of the soul and more and more on the body and its well-being, the paramount standard in both public and private discourse came to be the norm of health—physical, psychological, and social. Since, in religiously plural European and American states, all other claims to truth are conceived to be partisan and relative, “scientific” truth is the only common basis of argumentation and has become the bedrock of social consensus, the only revelation to which appeal can be made in areas of controversy.

Both *arete* and the “moral” have been largely replaced in the modern West by a hygienic standard of personal behavior expressed in terms such as “normal,” “regular,” “healthy,” “well-adjusted.” They are similar to “moral” in that they are related to the behavior of the majority, but they are more consistent in some ways: the majority of people, for example, lie from time to time, but this would not make mendacity “moral” in the eyes of the Church. Lying probably is considered “normal” by most residents of modern industrial democracies—at least in small matters—whereas starving or flagellating oneself, admirably “moral” in the eyes of many Christians of the Middle Ages, would not be considered “normal,” “healthy,” or “well-adjusted,” even by most modern Catholics.

The “normal” is generally understood to be determined by observation, although it is not, in fact, empirical, for a reason I will return to subsequently.²⁷ It is determined, by and large, by the scientific and medical

27. See below, pp. 222-24, on circular empiricism.

communities. What “nine out of ten doctors say” has nearly the same force in contemporary American and West European society as a decision by a council had in the twelfth century. Psychiatry establishes the parameters of the “normal” for the mental sphere of life, physicians and medical researchers for the corporeal, psychologists and sociologists for the social.

The desirability of persons, actions, and things is assessed in modern industrial nations against the “norm” of “health”: what is physically or mentally “normal” is what would be found in a “healthy” person or society. That this is tautological is not particularly surprising, given the generally low level of philosophical sophistication in political discourse; what is more interesting is that “normality” and “health” are either characteristics or conditions, rather than modes of behavior, and one generally has less control over them than over actions or conduct. Paradoxically, many individuals in modern states have less control over their status than they would have had in ancient or medieval societies.

In medieval Europe a Jew could become a Christian simply by accepting baptism. Although Jews might (quite rightly) resent having to make this ideological sacrifice to be accorded “insider status,” they had at least significantly more options than in early modern societies, where conversion to Christianity would not efface the stigma of being a Jew “by birth.” Converts to Christianity from Judaism were lionized and celebrated in Europe in the eleventh and twelfth centuries; by the sixteenth they were feared and mistrusted, and statutes of *limpieza de sangre* (“cleanness of blood”) were enacted in Spain to prevent their occupying office in Christian society. A Catholic archbishop with a Jewish grandmother might have become pope in the Europe of the High Middle Ages; he would have been considered an outsider by Nazis.

The modern consensus and its haphazard control by the “scientific/medical” community has the potential to be even more destructive and alienating than its ancient counterparts, because it makes little allowance for “distinguishable insiders” or even “inferior insiders.” One is either normal or not: there are no degrees. And anyone who is “abnormal” may find him or herself at any moment subject to alienation, antipathy, social hostility, or even extermination by the state, whose duty it now is, by consensus, to maintain the “health” and “normality” of itself and its citizens.

Anyone not familiar with the history of the twentieth century, observing the gradual shift from theological/moral to scientific/medical standards of public “good,” might have considerable difficulty imagining how the Jews could not have fared better under such a system, where their one significant distinguishing characteristic—religious belief—was removed from the arena of consensus, now focused on “health” and “well-being” regardless of supernatural truth. But the reality of history and intolerance defies prediction: in fact, it was precisely on notions of “healthy” individuals and

societies, and “scientific” discourse about racial purity, that the most virulent anti-Semitism of Western history was predicated.

Modern discourse has also transformed the medieval notion of the unholiness of homosexual acts into the abnormality of the homosexual “condition.”²⁸ The “condition” has been variously conceptualized as a genetic “trait,” a psychological “state,” an “inclination,” or a “preference.” Though these terms vary in their implications of permanence and mutability, all suggest an essential, internal characteristic of a person rather than an external, voluntary activity. The importance of the difference between the modern view and preceding systems of conceptualizing sexuality can scarcely be exaggerated. Contemporary concepts have drastically altered social views of sexual behavior and its significance by focusing on sexual object choice and correlating it with an inherent, defining—and powerfully negative—personal characteristic. The majority supposes itself to have the trait, condition, or preference of heterosexuality, which is “healthy” and “normal,” and believes that a minority of persons have the “opposite” trait, condition, or preference, which is “unhealthy” and “not normal.”

The difference is rendered more profound and alienating by the fact that the “normal” or “healthy” state is generally considered (as were all forms of sexuality in the past) to be primarily behavioral. Because “heterosexual” is conceived to be the norm, it is unmarked and unnoticed. “Heterosexual person” is unnecessary: “person” implies heterosexual without indication to the contrary. But the normal person is not “heterosexual” in the same sense that a gay person is “homosexual”; the former may or may not engage in heterosexual activity from time to time, but hardly any information about his or her character, behavior, lifestyle, or interest is inferable from this fact. “Homosexual,” on the other hand, is understood to be the most important single fact about a gay person, and implies a great deal beyond occasional sexual behavior about the person to whom the term is applied. Not only, it is imagined, does his or her sexuality define all other aspects of personality and lifestyle—which are implicitly subordinate to sex in the case of homosexuals but not heterosexuals—but the connotations of the term and its place in the modern construction of sexuality suggest that homosexuals are much more sexual than heterosexuals. The majority chooses sexual “orientation” or object-choice-based identity as the key polarity in sexual discourse, marks certain people on

28. This change has received considerable attention from historians of sexuality in recent decades. For a particularly lucid treatment, see George Chauncey, “From Sexual Inversion to Homosexuality: Medicine and the Changing Conceptualization of Female Deviance,” *Salmagundi* 58-59 (1982-83): 114-46. Kenneth Lewes, *The Psychoanalytic Theory of Male Homosexuality* (New York, 1988), succinctly surveys the development of psychoanalytic approaches to homosexuality and their interaction (as both cause and effect) with broader social forces.

the basis of this, and then imagines that its categorization corresponds to the actual importance in their lives of the characteristic so marked.

* * *

It is not hard to find faults in the concept of *arete*, a difficult philosophical construct about which most of the educated in the ancient world would have disagreed, and which the average person would have been hard put to define even approximately. Nor does it require much perspicacity to see that terms like "democracy" or slogans such as "the senate and the Roman people" (SPQR, carried on banners by Roman legions) are very misleading descriptions of systems in which only prosperous, landholding, free males participated in government, from which the vast majority of the population was utterly excluded. (Most of these "democracies" were in any event dictatorships during the period of their greatest political power.)

The *kath holon* tradition of councils would seem to have replaced at least the individual and elitist aspect of *arete* with a more popular approach to the private "good" and a more genuinely democratic approach to the public "good" by appealing to ordinary behavior for the "moral" and to majority rule to determine what was "orthodox." In a sense it did, but the clever reader will already have apprehended that the tradition "according to the whole" was, at the absolute most, *kath hemi-holon*—according to half the whole—since it was limited to the clerical class, and by the time the system was in place women had been irrevocably excluded from this class.

So little material survives from the pens of the excluded women that it is now impossible to know whether the half-the-whole consensus reflected their views or not. What is clear is that it must have affected, if it did not determine, their attitudes as well as their lives, by setting not only the limits of acceptable behavior but also the terms of the discourse and conceptual rubrics under which behavior and attitudes would be discussed.

The most shocking example of this narrowed discourse is also the most obvious—so obvious, in fact, that it is surprising it is so rarely noted. It is the very touchstone of the Catholic moral tradition: "virtue." The English word is taken from the Latin *virtus*, but with a dramatic loss of meaning. *Virtus* means "maleness": not humanness as opposed to non-humanness, but maleness as opposed to femaleness. It is hardly surprising that, once half the *holon* had appropriated this term, "maleness," as the basic unit of Christian goodness, many of them should find women lacking it,²⁹ or that

29. "Woman is naturally [*naturaliter*] of less virtue [*minoris virtutis*] than man." Aquinas *Summa theologiae* 1a.92.1.2. Indeed: one might even claim reasonably that women have no *virtus* at all. The question is, how important is "maleness" in a moral context? The matter is somewhat confused by the fact that *virtus*, like nearly all abstract nouns, is feminine in gender, and often personified as a female. The caprices and inconsistencies of Western systems of "gender," both lexical and

even today Catholic leaders should argue that women can not be priests because they do not possess the full *virtus* of Christ—how could they? But is His maleness the attribute of Jesus that a Christian consensus in which women participated would have identified as His most important quality? The Catholic moral tradition would have been substantially different if it had actually been *kath holon*: it seems likely that maleness would have been less privileged, or, at the very least, that femaleness would not have been invoked as inherently undesirable and inferior.

Catholicism similarly transformed notions of religion and sexuality by privileging some views and excluding others. In the ancient world there was a widespread conception of religion as a heritage or birthright, associated with membership in a tribe, a nation, or a family, or with residence in a particular locale dedicated to some deity. This notion closely parallels one strand of Jewish thought—that being Jewish is an ethnic heritage which the individual can respond to or not, but not undo. Another strand of Jewish belief—that the truth about God must be communicated to all peoples, and they must all accept it and forsake any other religion—was adopted by Christianity and became its predominant ethos. Most early Christians had, in fact, abandoned some other religion and chosen to accept the truths of Christianity. But long after this was the case (by the fifth century most Christians were simply following family tradition and not choosing among competing faiths), Christianity retained the rhetoric of choice and conversion, and Christians, oblivious of any other view, increasingly blamed the Jews for “choosing” the wrong religion.

Ironically, the Catholic notion prevailed rhetorically and as a justification for oppression (it was defensible to persecute the Jews, who “willfully rejected” Christianity), while the belief of most medieval Jews—that they were Jewish by birth whatever they chose to believe—prevailed in social reality: by the fifteenth century, even Jews who embraced Christianity were not considered “real” Christians because they had “Jewish blood.”

Similarly, in the ancient world there was a general presumption that humans were born with inclination to their own or the opposite gender (or to both), and that this was a matter like hair or eye color, for which one would hardly blame anyone. Aristophanes’ speech in the *Symposium* explaining the origins of sexual inclination is a clear example of this, as is Aristotle’s comment that “when nature is responsible [for men being sexually passive], no one would blame them, any more than one would blame women because they are passive in intercourse and not active. . . .”³⁰ As late as the thirteenth century Aquinas admitted that homosexuality was

social, have only begun to be explored.

30. Aristotle *Nicomachean Ethics* 7.5.3-5.

natural to some humans,³¹ a position which, if it had survived, might have permitted "distinguishable insider" status for gay people, on the analogy of the "laws" of Moses and Christ.

But from the thirteenth century on, the gradual triumph of the standard of the "normal" resulted in a consensus that there is one proper sexuality, into which everyone is born, and that some individuals, perversely and willfully, choose to reject it and pursue the "unnatural" or "abnormal."

* * *

It would take too long to examine in detail the ways in which the modern consensus, like its earlier counterparts, wants perspective, exhibits caprice in formulation, or disadvantages minority groups. I will limit myself to three illustrative points.

(1) In regard to the question posed earlier—why have Jews become "normal" when gay people have not?—it should be noted that the standards of the modern West are actually little more inclusive than their forebears, if they are more inclusive at all. Jews have become accepted as "normal" in most Western democracies since World War II not because Judaism is better understood, or because religion itself is perceived in a more comprehensive way, reflecting modes of religious experience other than Christian ones—e.g., in regard to religion as heritage rather than creed.³² It is simply that religion itself is no longer considered a suitable arena for investigating standards of personal "good." In most Western democracies there has been a tacit agreement since the eighteenth century not to argue about creed, because it proved so socially destructive in the sixteenth and seventeenth centuries.

(2) Like the previous standards of *arete* and the "moral," the modern rubric "normal" is marked by a circular empiricism. Greeks believed that slaves generally lacked *arete* because servile condition was not conducive to greatness of character. But to explain why it was that some humans were sold to serve others, they would argue that people were slaves because they lacked *arete*.³³ In the Middle Ages Christians associated Jews

31. Aquinas *Summa theologiae* 1a.2ae.30, discussed in Boswell, *Christianity*, pp. 326-28.

32. There is, in other words, not so much a more inclusive or sophisticated public discourse about religious differences as simply less discourse about them. As a consequence, although it is acceptable in the United States to recognize Jews as in some minor sense a "community," the proper rhetoric about their distinctiveness addresses it either as "ethnic" or "cultural," by analogy with the many other "peoples" who make up the United States (Italian-Americans, German-Americans, Irish-Americans, etc.), or as comparable to the relatively trivial differences among Christian denominations, a fundamental and untroubling aspect of modern American life. This is certainly desirable in terms of public polity, but should not be mistaken for an advance in theological understanding on the part of the Christian majority.

In this sense (as in most), "normal" must be understood as a relative category rather than an absolute one. Indeed, relatively few persons in American society probably perceive themselves to be entirely "normal": the term is significant sociologically not as an indication of personal psychological comfort, but in relation to public forms of oppression or harassment.

33. On the ideological basis of slavery, see, inter alia, Moses Finley, *Slavery in Classical Anti-*

with moneylending: in fact, far more moneylenders were Christian than Jewish (priests, having the most disposable cash, were probably the chief moneylenders), but a higher percentage of Jews were moneylenders. This higher fraction, plus the fact that both Jews and moneylending were suspect, cemented the relationship in the popular imagination, and contributed to hostility toward Jews in cultures where moneylending was regarded as a vile and immoral profession. And why were so many Jews moneylenders? Because moneylending was officially prohibited to all but Jews, and because Jews were restrained in most medieval states from occupations other than commerce and finance by laws of various sorts (e.g., regarding ownership of farm land, or employing servants who were not Jewish).

In each case, the suspicions entertained about the minority were justified "empirically": slaves could rarely exhibit *arete*, and a higher percentage of Jews than of Christians were involved in moneylending. But these were not neutral observations: the same society "observing" the correlation had in fact created it, and then inferred from it that its conclusions about slaves or Jews were correct. The public, contemporary moralists, social scientists, and legislators adduce promiscuity among gay males³⁴ as one of the signs that homosexuality is not a "normal," "healthy," or "well-adjusted" sexuality. This is as callously deceptive as the claim that slaves could not have *arete* or that Jews were by nature avaricious and given to moneylending. A society that has for much of the last millennium precluded in every conceivable way the formation of gay couples, systematically denying them any social, legal, fiscal, or religious acceptance, criticizes gay men for casual sexual relations and concludes that their sexuality is not "well-adjusted." Promiscuous encounters can be hidden from hostile view; permanent relationships cannot. No one questions where an unmarried man goes at night, but every level of American society questions the position of an unrelated person of the same gender living in his house for any length of time. With every passing year it becomes more and more difficult to explain to family, friends, co-workers, bosses, landlords, et al., who the "friend" in the house is. In Connecticut two unrelated men cannot jointly insure the property in their home. A lifelong gay relationship does not even afford a man the right to visit his dying partner in the hospital when the staff chooses to enforce a "next of kin" rule—something that has caused difficulty and heartbreak for many AIDS patients. In the rest of the nation, at humane private universities, at major

quity (Cambridge, 1960) and E. Sereni, "Recherches sur le vocabulaire des rapports de dépendance dans le monde antique," in *Actes du colloque 1973 sur l'esclavage*, Annales littéraires de l'Université de Besançon, no. 182 (Paris, 1976), 11-48.

34. I have emphasized the social situation of gay males in the following examples because public concern about homosexuality has focused largely on their lifestyles since the AIDS crisis. The experience of lesbians, equally revealing but in some ways rather different, requires separate treatment.

businesses, and in all branches of their own government, the permanent, committed relationships of gay women and men, even of many decades duration, receive absolutely no recognition, whereas a heterosexual partner receives full spouse benefits the day after a civil marriage, whether the marriage then lasts a month or fifty years. A culture that oppresses, penalizes, or stigmatizes all forms of homosexuality can hardly expect gay people to form visible and permanent unions or congratulate itself on the accuracy of its "observations" about gay sexuality.

Further, because it is so essential for gay couples to disguise their existence, the public rarely if ever sees them, and recognizes and conceptualizes homosexuality only as a phenomenon of casual and wanton sexuality, not only different from but in many ways opposite (and therefore opposed) to heterosexuality. Rather than equating homosexual promiscuity with heterosexual promiscuity, and homosexual couples with heterosexual couples, the public inevitably contrasts the extravagant extremes of homosexual behavior reported in sensational journalistic accounts with monogamous marriage and the nuclear family, idealized by Americans as the "norm" of human sexuality (although they no longer constitute the most common pattern of sexual interaction even for heterosexuals). This situation is not precisely of anyone's design: gay couples have little choice but to disguise their existence, and without any clear picture of them the public must draw conclusions about homosexuality from the lurid tidbits it hears about the gay singles scene. But the fact that it is so should give thoughtful observers pause about relying on the taxonomies of sexual behavior available in modern discourse: they are about as rational and reliable as those of the Chinese encyclopedia.

(3) A colleague remarked to me that the major failing of *Christianity, Social Tolerance, and Homosexuality* was its lack of reference to "catchers" and "pitchers." People are not really disturbed, he noted, simply by same-gender sexuality; it is the fact of a man's being a "catcher" that bothers everyone, in all societies, because it makes a man "effeminate." "Catchers" and "pitchers" is prison slang, referring to the parties in homosexual encounters who pass (the pitcher) or receive (the catcher) semen. It is "catching," he argued, that is "abnormal" and troubling to people, not the fact of males being sexually interested in each other.

My colleague's point reveals more than he intended. The majority of the prison population is heterosexual. Most heterosexual males regard "pitching" as normal sexual activity, and would consider it degrading if they had to "catch." In prisons and jails, moreover, many men are in fact forced to "catch" against their wills, and it is degrading and offensive to them. But in the population at large, especially in tolerant societies, many men "catch" because they wish to do so and find it satisfying, and those who "pitch" to them presumably value them in part for the complemen-

tarity of the relationship. Moreover, a large percentage of gay men enjoy both roles, or engage in activities which involve neither.

Even more to the point, “catchers” and “pitchers” have no relevance to lesbian experience, and are not a matter of concern to most women of any orientation in regard to male homosexuality. My colleague extrapolated from a largely irrelevant sample (his own and other heterosexual males’ experience and feelings).

Nonetheless, the point about “catchers” and “pitchers” is a useful one: it helps to point out why the moral arguments generally brought to bear against homosexuality are insufficient explanation of the horror it evokes. Most of these relate in one way or another to procreative purpose: homosexuality violates “nature” because it employs sexuality for a purpose other than that for which it was intended—procreation. Of course, contraception, masturbation, heterosexual petting, and dozens of other activities also “violate nature” in the same or similar ways, and although some very ascetic moral systems retain ambivalence about them, American society as a whole evinces toward them no horror or disgust in any way comparable to the hostility inspired by homosexuality. Some taxonomy other than a scholastic hierarchy of procreativity is obviously at work, and it is probably at least in part due to deeply embedded confusions of the archetypally male (*virtus*) and the “normal” with the “good,” which may seem apposite and important to some elements of modern (as of ancient) populations, but are irrelevant or wrongly applied to the moral concerns and experience of heterosexual women and gay men and lesbians, just as the issue of “choosing” the “correct” religion is irrelevant to most Jews.

Perhaps even more important, most modern hostility has little if anything to do with the specific “activities” performed by gay people. It is being a homosexual that disturbs most of the public, from school systems to the U.S. Army. What people do in private, regardless of the role they take, is of much less concern than what they say in public. “Avowed homosexuals” are excluded from the ministry of nearly all church denominations, even if they choose to be celibate. What is at issue is the category, a category independent of any sexual activity. The allegedly anti-social behavior known as “flaunting”—a focus in such anti-gay campaigns as that of Anita Bryant—does not involve any genital activity at all: it refers to public honesty and openness about one’s erotic feelings. “Pansy,” “queer,” and “faggot” allude not to explicit, dangerous acts, but to private, invisible preferences, or even to such personal and—one might have thought—unthreatening aspects of an individual as his aesthetic taste or the way he walks or holds his hands in conversation. Violence against gay people on the streets of American cities arises not from the observation of prohibited acts, which almost all gay people perform out of view, but from the surmise that someone is a lesbian or a gay man. Not only is it not

limited to passive men, but it is unrelated to any external activity: the aim is to punish, injure, or eliminate persons who *are* gay.

* * *

This brings us back, finally, to the Chinese encyclopedia. The point of citing it, obviously, is to show that what seems to one person an obvious set of categories may seem arbitrary and capricious to others. The fourteen categories are one way to organize an animal taxonomy; one might even imagine that they seemed intuitive to their author. But to us they seem hilariously inappropriate—suggesting that we regard our own taxonomies as self-evident.

The fourteen animal categories do not actually come from a medieval Chinese encyclopedia: they were invented by the poet Borges (and cited by Foucault³⁵) to illustrate the caprices of taxonomy, and he deliberately attributed them to an ancient source to give them an air of authority. Taxonomies of great antiquity almost invariably carry greater weight than modern questions about them. Most taxonomies of the “good” in human affairs, ancient or modern, include caprices and peculiarities comparable to these, and many were invented on as little authority as Borges’ listing. Moreover, most, like his list, appeal to antiquity to obviate questions about their structure.

One of the “categories” of the unspoken encyclopedia of values among modern English-speaking peoples is “the unmentionable”—a little like the “et cetera” of the Chinese encyclopedia. Ordinarily this category is applied to bodily parts and functions, especially genital ones. If a friend tells you he found his son playing with his “thing,” you know exactly what he means, even though there are thousands of “things” a child might play with. It is obvious what is being named because it is not being named: it is one of those items from the category “unmentionable”—a category that includes more than sexuality, but of which sexuality is the salient element. If the friend mentions that he “did it” with his girl friend or wife, you have no doubts about what they “did,” although there are a great many activities a male and female perform more often together than sexual intercourse (e.g., eating, talking, sleeping, even shopping). The category “unmentionable” greatly emphasizes the sexual in Anglo-Saxon culture, because nearly every unclear referent may be an allusion to it.

However, “unmentionable” is also a category for things that are truly awful and that one would not wish to discuss before children or in polite company. It requires unusual perspicacity to see that “unmentionable” is thus an “et cetera” rubric and not a well-thought-out taxonomic distinction. And until very recently, because it was a form of sexuality that made

35. Michel Foucault, *Les mots et les choses: une archéologie des sciences humaines* (Paris, 1966), preface. I have paraphrased the French and added enumeration.

adults even more uncomfortable than their own everyday parts and activities (their “things,” “its,” and “doings”), homosexuality (including desire as well as activity) was the least mentionable subject in English-speaking culture: “the unmentionable vice,” “the love that dare not speak its name.” Not only children and adolescents, but all members of the society (and many outside observers) have noted, subliminally or explicitly, that while murder, rape, cruelty, torture, and even incest could be discussed openly, homosexuality could not be: clearly implying that it was not only worse, but much worse than all these nameable crimes. Western society could discuss quite frankly the torture and killing of political dissidents and millions of Jews, but not the erotic activities of perhaps ten to twenty percent of its population.

This was not because all those who conscientiously refrained from broaching in conversation “the unmentionable vice” would in fact have argued that it was morally worse than the Holocaust, or individual murders, or child abuse, or deliberate cruelty. They would in fact not have asked themselves, or allowed themselves to be asked, whether homosexuality was actually worse than all the crimes that could be discussed. The primary function of the category “unmentionable” is to forestall open discussion, and it is therefore the least likely grouping to be analyzed in any detail. Whether most matters come under the rubric as a sort of social contract not to discuss them or because of unconscious taboo or visceral reticence is hard to say, in part because we cannot discuss the category, or its contents, or its moral accuracy.

* * *

Among the Jews of Vienna before World War II there was a gallows-humor joke (repeated in Katherine Anne Porter’s novel, *Ship of Fools*) about an anti-Semite haranguing a reasonable man about the perfidies of the Jews and the extent to which they had caused all of the problems of Europe, perhaps the world. At last the weary listener responds, “You’re right. It’s the Jews’ fault. Everything is the fault of the Jews—and the bicycle riders.”

“The bicycle riders?” his interlocutor asks. “Why the bicycle riders?”

“Why,” the reasonable man sighs, “the Jews?”

To a clear-sighted observer, the modern question “Why the bicycle riders?” unmasks and largely undoes the ancient taxonomy that places Jews in the “cause of all evil” category. But how many people asked themselves then, or ask themselves now, such questions? Zoological taxonomy does not affect very much the quality of life for humans, and I doubt that animals care whether we organize them in terms of phyla, genera, and species, or according to how they look from a distance, or “et cetera.” But human taxonomies do affect the well-being of humans, very concretely, as

I have tried to show, and it matters very much whether they are sensible or capricious, haphazard or well-conceived, exclusive or inclusive. If it is not easy to alter or oppose the social and historical forces that create invidious and oppressive categories for some members of society, it is at least incumbent upon scholars to attempt to understand and explain them.